



**ARIZONA STATE SENATE**  
*Fifty-Second Legislature, Second Regular Session*

FACT SHEET FOR S.B. 1375

telephone solicitations

Purpose

Expands the prohibition on telephone solicitation to numbers on the national do-not-call registry to include all telephone numbers.

Background

The Telephone Consumer Protection Act, enacted by Congress in 1991, requires telemarketers to maintain do-not-call lists. The Telemarketing and Consumer Fraud and Abuse Prevention Act of 1994 further prohibited telemarketers from calling: a) numbers on the do-not-call lists; b) consumers that have requested not to be called; and c) residences between 8 a.m. and 9 p.m.

In Arizona, telemarketers are required to submit a full or limited registration with the Secretary of State. Telemarketers are prohibited from using caller identification blocking devices, artificial or prerecorded voices and unsolicited telephone calls to any mobile or telephone paging system. Telemarketers are required to maintain a no-call list of consumers who have previously stated a desire to not receive outbound calls from, or on behalf of, the seller.

*Telephone solicitation* is defined as voice communication to a telephone number in this state from a live operator, announcing device or otherwise to offer merchandise for sale or rent (A.R.S. § 44-1271). S.B. 1375 broadens this definition to include all numbers.

The Attorney General may investigate and take appropriate action to enforce telephone solicitation prohibitions (A.R.S. § 44-1282). Penalties may not exceed \$1000 per violation and all fines collected are deposited in the state General Fund.

The anticipated fiscal impact to the state General Fund associated with this legislation is unknown.

Provisions

1. Expands, from in-state numbers to all numbers, the prohibition on telephone solicitations to numbers on the national do-not-call registry.
2. Expands the definition of *telephone solicitation* to include communication that is from a person located in this state.

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3. Makes technical and conforming changes.
4. Becomes effective on the general effective date.

Prepared by Senate Research

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